

100553

**AN ORDINANCE**

**AMENDING CHAPTER 21, ARTICLE I, SECTION 21-6 OF THE CITY CODE OF CITY OF SAN ANTONIO ENTITLED "INJURIES TO PROPERTY; GRAFFITI" BY INCREASING THE MINIMUM MANDATORY FINE FOR FIRST OFFENSES FROM FIFTY DOLLARS (\$50.00) TO TWO HUNDRED DOLLARS (\$200.00) AND FOR SUBSEQUENT OFFENSES FROM ONE HUNDRED DOLLARS (\$100.00) TO FOUR HUNDRED DOLLARS (\$400.00); AND PROVIDING FOR PUBLICATION.**

\* \* \* \* \*

**WHEREAS**, the City Council of the City of San Antonio recognizes that the City suffers from countless properties marked from graffiti that results in decreased property values, a loss of business growth and tourism; and

**WHEREAS**, the City Council of the City of San Antonio further recognizes that graffiti is a crime of fear decreasing citizen's feelings of safety in the community and attracting other forms of crime to the neighborhood; and

**WHEREAS**, the City Council of the City of San Antonio, in a continuing effort to deter the number of graffiti crimes in San Antonio has determined that amending the City Code Chapter 21, Article I, Section 21-6 (3) by increasing the mandatory minimum fines for first offenses and for subsequent offenses will help deter the number of graffiti crimes in San Antonio; and

**WHEREAS**, City staff recommends approval of this ordinance; **NOW THEREFORE**,

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:**

**SECTION 1.** Violations of Chapter 21, Article I, Section 21-6 (3) of the City Code of the City of San Antonio that occur before the effective date of this ordinance are covered by the Code Section in effect when the conduct occurred, and the former Code Section is continued for that purpose only.

**SECTION 2** Chapter 21, Article I, Section 21-6 (3) of the City Code of the City of San Antonio entitled "Injuries to Property; Graffiti" is hereby amended as follows, stricken language identified by a ~~strike~~ and added language identified by underline:

(3) *Penalties.* Violation of any provisions of this section shall be a misdemeanor offense and shall be punished by a mandatory minimum fine of (\$200.00) nor more than five hundred (\$500.00) for the first offense and a mandatory minimum fine of four hundred dollars (\$400.00) nor more than five hundred dollars (\$500.00) for second and subsequent offenses ~~of not less than fifty dollars~~

~~(\$50.00) nor more than five hundred dollars (\$500.00 for the first offense and a fine of one hundred dollars (\$100.00) nor more than five hundred (\$500.00) for the second offense.~~ The court shall have the discretion to provide other means of punishment which may include community service.

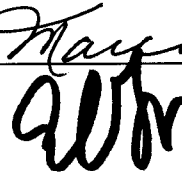
**SECTION 3.** The amendments adopted by this Ordinance shall not effect the remainder of Chapter 21, Article I, and said provisions shall remain in full force and effect.

**SECTION 4.** The fines shall be deposited in Internal Order 203000000002, General Ledger 4602100 entitled, "Fines-Non Traffic", in Fund 11001000, entitled " General Fund".

**SECTION 5.** The City Clerk of the City of San Antonio, Texas is hereby directed to publish the aforementioned amendments in accordance with Section 17 of the City Charter.

**SECTION 6.** This ordinance shall become effective ten 10 days after it is passed and approved by City Council, but in no event less than five days after publication in conformance with Article 2, Section 17 of the City Charter.


**PASSED AND APPROVED** this 10<sup>th</sup> day of March, 2005.



M A Y O R  
EDWARD D. GARZA

**ATTEST:**

  
City Clerk

**APPROVED AS TO FORM:**   
City Attorney

# Agenda Voting Results

**Name:** 37.

**Date:** 03/10/05

**Time:** 05:06:55 PM

**Vote Type:** Multiple selection

**Description:** An Ordinance amending Chapter 21, Article I, Section 21-6 of the City Code of City of San Antonio, entitled "Injuries to Property: Graffiti" by increasing the minimum mandatory fine for first offenses from fifty dollars (\$50.00) to two hundred dollars (\$200.00) and for subsequent offenses from one hundred dollars (\$100.00) to four hundred dollars (\$400.00); and providing for publication; as requested by Councilmen Ron H. Segovia, District 3, and Richard Perez, District 4. [Presented by Andrew Martin, City Attorney; J. Rolando Bono, Interim City Manager]

Voter	Group	Status	Yes	No	Abstain
ROGER O. FLORES	DISTRICT 1	Not present			
JOEL WILLIAMS	DISTRICT 2		x		
RON H. SEGOVIA	DISTRICT 3		x		
RICHARD PEREZ	DISTRICT 4		x		
PATTI RADLE	DISTRICT 5			x	
ENRIQUE M. BARRERA	DISTRICT 6		x		
JULIAN CASTRO	DISTRICT 7	Not present			
ART A. HALL	DISTRICT 8	Not present			
CARROLL SCHUBERT	DISTRICT 9		x		
CHIP HAASS	DISTRICT_10		x		
MAYOR ED GARZA	MAYOR		x		